

BENJAMIN KIM
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Attorney for Defendant Alejandro Arroyo-Lopez

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:10-CR-00510-JO-1

v.

DECLARATION IN SUPPORT
OF DEFENDANT'S MOTION
TO CONTINUE SENTENCING
DATE

ALEJANDRO ARROYO-LOPEZ,

Defendant.

DECLARATION OF COUNSEL

I, BENJAMIN KIM, declare the following to be true to the best of my knowledge:

1. I am the attorney of record for the Defendant, Alejandro Arroyo-Lopez, in the above-captioned case, having been appointed by this court, on or about January 3, 2012.

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2. Defendant Alejandro Arroyo-Lopez is in custody at FCI Sheridan as of December 20, 2010.
3. Defendant Alejandro Arroyo-Lopez plead guilty to Count 1 of the Superseding Indictment, which charged Conspiracy to Distribute with Intent to Distribute fifty grams or more of methamphetamine or five hundred grams or more of a mixture or substance containing a detectable amount of methamphetamine and a mixture or substance containing a detectable amount of cocaine on February 7, 2013.
4. This is an initial request for a continuance of sentencing date by Attorney Benjamin Kim.
5. My office has discussed the continuance with Defendant Alejandro Arroyo-Lopez and he has agreed to a delay to his sentencing date.
6. The Defendant initially informed me he did not want to be interviewed for the Presentence Report, but upon meeting with the Defendant on Tuesday, March 26, 2013, the Defendant had a change in opinion and informed me he does want to be interviewed for the Presentence Report.
7. The Defendant is scheduling an interview with the Presentence Report Writer Theresa Fuchs in the month of April and the defense needs additional time following this interview to further negotiate sentencing terms and obtain documents that aid in sentencing.
8. The defense requests an order rescheduling sentencing date from April 22, 2013 to a date at least 30 days or a date thereafter convenient to the Court and counsel.
9. As of March 27, 2013, a Presentence Report interview has not been scheduled and I have not yet received necessary documents to fully and adequately prepare this matter for sentencing.

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10. Assistant U.S. Attorney Thomas Edmonds does not object to a continuance of sentencing date.
11. Presentence Report Writer Theresa Fuchs, U.S. Probation Office, does not object to a continuance of sentencing date.
12. This declaration is made in good faith and not for the purposes of delay.

RESPECTFULLY SUBMITTED this 27th day of MARCH, 2013.

/s/ BENJAMIN KIM
BENJAMIN KIM
Attorney at Law, OSB# 066426